



LSG Sky Chefs
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May 12, 2004

Dockets Management Branch (HFA-305)
U.S. Food and Drug Administration
5630 Fishers Lane, Room 1061
Rockville, Maryland 20852

To whom it may concern:

The following comments are being submitted in response to the Food and Drug Administration (FDA) proposal of May 9, 2003 titled "Prior Notice of Imported Food Under the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (Docket # 2002N-0278) which has been reopened until May 14, 2004.

LSG Sky Chefs is the world leader in airline catering, and as such respectfully requests careful review and revision of the current provisions and interpretations of the "Prior Notice" requirements - particularly in regard to individual beverage cans and bottles boarded on international flights.

We are extremely concerned about the potential impact of the Prior Notice regulations on the day-to-day operation of both airlines and caterers, and clearly understand and support the necessity to protect this country from terrorist activity related to the food supply. We **do not understand**, however, the requirement to alert the Food and Drug Administration and/or the Customs and Border Patrol regarding leftover unopened cans of soda and unopened small bottles of liquor (to be held in bonded storage) on flights inbound to the U.S. and intended for use on later flights. There is no danger to the American public from this operation. Additionally, there is no possible way to determine at take-off what will remain upon landing in the U.S.

We ask that the final Prior Notice rule clearly exempt the beverages and liquor offered for sale or service aboard airlines. Such exemption will allow the Federal regulatory agencies to concentrate their efforts on the parts of the food supply that pose some real risk from intentional contamination and let our industry focus on safely and economically serving airline passengers.

Sincerely,

A handwritten signature in cursive script that reads "John Batchik".

JOHN BATCHIK
Vice President - Quality Management
LSG Sky Chefs